

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

COSTCO WHOLESALE CORPORATION,

Plaintiff,

vs.

KOCH FOODS, INC.; JCG FOODS OF ALABAMA, LLC; JCG FOODS OF GEORGIA, LLC; KOCH MEAT CO., INC.; SANDERSON FARMS, INC.; SANDERSON FARMS, INC. (FOOD DIVISION); SANDERSON FARMS, INC. (PRODUCTION DIVISION); SANDERSON FARMS, INC. (PROCESSING DIVISION); HOUSE OF RAEFORD FARMS, INC.; MAR-JAC POULTRY, INC.; GEORGE'S, INC.; GEORGE'S FARMS, INC.; SIMMONS FOODS, INC.; SIMMONS PREPARED FOODS, INC.; O.K. FOODS, INC.; O.K. FARMS, INC.; O.K. INDUSTRIES, INC.; PECO FOODS, INC.; HARRISON POULTRY, INC.; NORMAN W. FRIES, INC. d/b/a CLAXTON POULTRY FARMS, INC.; MOUNTAIRE FARMS, INC.; MOUNTAIRE FARMS, LLC; MOUNTAIRE FARMS OF DELAWARE, INC.; AMICK FARMS, LLC; CASE FOODS, INC.; CASE FARMS, LLC; CASE FARMS PROCESSING, INC.; and AGRI STATS, INC.,

Defendants.

Case No.: 21-cv-4611

COMPLAINT

Jury Trial Demanded

COMPLAINT

1. Plaintiff Costco Wholesale Corporation (“Costco” or “Plaintiff”) is a Washington corporation with its principal place of business in Issaquah, Washington. Costco is a multinational corporation which operates a chain of membership-only warehouse retail stores.

2. Costco brings this action under the federal antitrust laws against the Defendants identified below and incorporates by reference the factual allegations and reservations of rights contained in the Direct Action Plaintiffs’ Amended Consolidated Complaint and Demand for Jury Trial, filed in In re Broiler Antitrust Litigation, Civil Action No. 1:16-cv-08637 (ECF 4243; ECF 4244).

3. Costco joins Section II of the Direct Action Plaintiffs’ Amended Consolidated Complaint and Demand for Jury Trial, adding the following to specify the Costco causes of action and the Defendants in Costco’s action.

Plaintiff Name	Named Defendants¹	Named Co-Conspirators	Causes of Action
Costco Wholesale Corporation	Agri Stats; Claxton; Harrison; House of Raeford; Koch; Mar-Jac; Mountaire; O.K. Foods; Sanderson; Simmons; Amick; George’s; Peco; Case	Fieldale; Pilgrim’s; Tyson; Foster Farms; Perdue; Wayne; Keystone; Allen Harim	Count I (Sherman Act Claim for all Anticompetitive Conduct); Count II (Sherman Act Claim for Output Restriction, Pled in the Alternative to Count I); Count III (Sherman Act Claim for GA Dock Manipulation, Pled in the Alternative to Count I)

¹ The Defendants named in this Complaint include the entire Defendant family of each Defendant in this table, identified in Section IV.B of ECF 4243/ECF 4244.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Enter judgment in favor of Plaintiff against all Defendants based on both their individual liability and joint and several liability;
- B. Award Plaintiff treble damages, of an amount to be determined at trial, to the maximum extent allowed under the federal antitrust laws;
- C. Award Plaintiff post-judgment interest as provided by law, with such interest to be awarded at the highest legal rate;
- D. Award Plaintiff its attorneys' fees, litigation expenses, and costs, as provided by law;
- E. Grant Plaintiff such other and further relief to which Plaintiff is entitled.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff demands a trial by jury on all of its claims and issues so triable.

Respectfully submitted,

/s/ Terence H. Campbell

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